

Dear Senators HEIDER, Nuxoll, Bock, and
Representatives WOOD, Perry, Rusche:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Bureau of Occupational Licenses - State Board of Acupuncture:

IDAPA 24.17.01 - Rules Pertaining to the State Board of Acupuncture - Proposed Rule (Fee Rule)
(Docket No. 24-1701-1401).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 08/27/2014. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 09/25/2014.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the
memorandum attached below.



Jeff Youtz
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee
FROM: Legislative Research Analyst - Elizabeth Bowen
DATE: August 08, 2014
SUBJECT: Bureau of Occupational Licenses - State Board of Acupuncture

IDAPA 24.17.01 - Rules Pertaining to the State Board of Acupuncture - Proposed Rule (Fee Rule) (Docket No. 24-1701-1401)

The State Board of Acupuncture submits noticed of proposed rulemaking at IDAPA 24.17.01. The proposed rule decreases fees for applications, licenses, and license renewals. According to the Board, the purpose of the rule is to decrease the Board's dedicated fund and to convey a benefit to licensees and applicants.

There is no negative fiscal impact on the state general fund, but the Board estimates that the dedicated fund will be reduced by \$7,850.00. Negotiated rulemaking was not conducted. The proposed rule is consistent with the Board's authority under Sections 54-4705 and 54-4710, Idaho Code.

cc: Bureau of Occupational Licenses - State Board of Acupuncture
Tana Cory

PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: BUREAU OF OCCUPATIONAL LICENSES

Agency Contact: Cherie Simpson Phone: 208 334-3233

Date: July 3, 2014

IDAPA, Chapter and Title Number and Chapter Name:

24.17.01 – RULES OF THE STATE BOARD OF ACUPUNCTURE

Fee Rule Status: Proposed Temporary

Rulemaking Docket Number: 24-1701-1401

STATEMENT OF ECONOMIC IMPACT:

This rulemaking is anticipated to reduce the amount of dedicated fund fees collected by the Board of Acupuncture by approximately \$7,850.00.

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.17.01 - RULES OF THE STATE BOARD OF ACUPUNCTURE

DOCKET NO. 24-1701-1401 (FEE RULE)

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 54-4705 and 54-4710, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than August 20, 2014.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The State Board of Acupuncture operates on dedicated funds from fees paid by its licensees and applicants. This change would decrease the application fee, original license fee, and annual renewal fee for licensure in an effort to reduce the Board's dedicated fund balance and convey a benefit to licensees and applicants through these lower fees.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

Rule 300 is being amended to decrease the application fee from \$100 to \$50; original license fee and original fee for certification from \$200 to \$150; annual renewal fee for licensure and certification from \$125 to \$75; and annual renewal fee for technician certification or acupuncture trainee permit from \$75 to \$50.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

This rulemaking is anticipated to reduce the amount of dedicated fund fees collected by the Board of Acupuncture by approximately \$7,850.00 based on 149 licensees and 4 applications received last year.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed revisions to the fee rule are simple in nature and confer a benefit to the licensees and applicants. No opposition to this proposed fee reduction is anticipated.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 27, 2014.

DATED this 3rd day of July, 2014.

Tana Cory, Bureau Chief
Bureau of Occupational Licenses
700 W State St.
P O Box 83720
Boise, ID 83720-0063
(208) 334-3233 TEL / (208) 334-3945 FAX

THE FOLLOWING IS THE PROPOSED TEXT OF FEE DOCKET NO. 24-1701-1401
(Only those Sections being amended are shown.)

300. FEES (RULE 300).

- 01. Application Fee.** Application fee for any original license, certification, or acupuncture trainee permit - ~~one hundred fifty~~ **fifty** dollars (~~\$150~~). ~~(3-21-12)~~()
- 02. Original License Fee.** (3-30-01)
- a.** Original license fee - ~~two one~~ **one** hundred **fifty** dollars (~~\$20150~~). ~~(3-21-07)~~()
- b.** Original fee for certification - ~~two one~~ **one** hundred **fifty** dollars (~~\$20150~~). ~~(3-21-07)~~()
- c.** Original fee for acupuncture trainee permit - one hundred fifty dollars (\$150). (3-21-12)
- 03. Annual Renewal Fee.** (3-10-00)
- a.** Annual renewal fee for licensure - ~~one hundred twenty~~ **seventy**-five dollars (~~\$1275~~). ~~(3-29-10)~~()
- b.** Annual renewal fee for certification - ~~one hundred twenty~~ **seventy**-five dollars (~~\$1275~~). ~~(3-29-10)~~()
- c.** Annual renewal fee for technician certification or acupuncture trainee permit - ~~seventy five~~ **fifty** dollars (~~\$750~~). ~~(3-21-12)~~()
- 04. Inactive License.** Inactive license or certification fee - fifty dollars (\$50). (3-30-01)
- 05. Non-Refundable.** All fees are non-refundable. (3-10-00)
- 06. Yearly Fees.** With the exception of Subsection 300.01 and 300.02, all fees provided under these rules are yearly fees. (3-10-00)